

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**USDC SDNY
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JOEL BERGSTEIN,

Plaintiff, : 08 Civ. 3571 (LAP) (AJP)

-against- : RULE 16 INITIAL PRETRIAL

CONFERENCE ORDER

MASERATI NORTH AMERICA, INC., :

Defendant. : ----- x

ANDREW J. PECK, United States Magistrate Judge:

Based on the Initial Pretrial Conference pursuant to Rule 16, Fed. R. Civ. P., held on May 29, 2008 before Magistrate Judge Andrew J. Peck, IT IS HEREBY ORDERED THAT:

1. All fact and expert discovery must be completed by August 29, 2008.

Expert reports must be served by July 15, 2008 defendant, July 31, 2008 plaintiff. Mandatory initial disclosure pursuant to Rule 26(a)(1), Fed. R. Civ. P., is due June 19, 2008. The parties shall discuss any issues with respect to electronic discovery before the next court conference.

2. Each party will notify this Court by September 3, 2008 as to whether it intends to move for summary judgment. Summary judgment motions must be filed by September 19, 2008, and must comply with the Federal Rules of Civil Procedure, the Local Rules of this Court, and the chamber rules of the District Judge to whom this case is assigned.

3. The parties are to submit a joint proposed pretrial order, in conformance with the Federal Rules of Civil Procedure, the Local Rules of this Court, and the chamber rules of the District Judge to whom this case is assigned, by September 19, 2008 if neither party is moving for summary judgment, or 30 days after decision on the summary judgment motion. The case will be considered trial ready on 24-hours notice after the pretrial order has been submitted.

4. A status conference will be held before the undersigned on July 18, 2008 at 9:30 a.m. in Courtroom 20D (500 Pearl Street).

5. The parties are directed to follow the "Individual Practices of Magistrate Judge Andrew J. Peck," a copy of which was previously provided.

SO ORDERED.

DATED: New York, New York
May 29, 2008



Andrew J. Peck
United States Magistrate Judge

Copies by fax & ECF to: Sergei Lemberg, Esq.
Jason Fenley, Esq.
Paul Daly, Esq.
Judge Loretta A. Preska